

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
U.S. DISTRICT COURT
DISTRICT OF MASS.

2004 JUL 13 P 2:00

ASCENTIAL SOFTWARE CORPORATION,
Plaintiff,
v.
RUSSELL DODSON,
Defendant.

Civil Action No. 04-40130-DPW

MOTION TO PERMIT ANN M. HEIMBERGER TO APPEAR *PRO HAC VICE*

Christopher B. Kaczmarek, attorney for defendant Russell Dodson in the above-captioned matter, moves pursuant to Rule 83.5.3(b) of the Local Rules of the United States District Court for the District of Massachusetts for the admission, *pro hac vice*, of Ann M. Heimberger. The basis for this motion is as follows:

1. Ann M. Heimberger is an associate in the law firm of Quinn Emmanuel Urquhart Oliver & Hedges, LLP in San Francisco, California and is counsel for Russell Dodson.
2. Ms. Heimberger is a member in good standing in every jurisdiction where she has been admitted to practice.
3. There are no disciplinary proceedings pending against Ms. Heimberger as a member of any bar in any jurisdiction.
4. Ms. Heimberger has indicated in the attached Certificate that she is familiar with the Local Rules of the United States District Court of the District of Massachusetts.

In further support of this motion, the Certificate of Ms. Heimberger is attached hereto as Exhibit A. A filing fee of \$50 is enclosed with this motion.

LIBB/1272779.1

FILING FEE PAID:
RECEIPT # 404365
AMOUNT \$ 50.00
BY DPTY CLK S. Jones
DATE 7-13-04

WHEREFORE, Christopher B. Kaczmarek respectfully requests that this Court admit Ann M. Heimberger *pro hac vice*.

LOCAL RULE 7.1 CERTIFICATION

Counsel for Defendant Russell Dodson hereby certifies that he has conferred with counsel for Plaintiff Ascential Software Corporation and has attempted in good faith to resolve the issue raised in Defendant's Motion to Permit Ann M. Heimberger to Appear *Pro Hac Vice*.

Respectfully submitted,

RUSSELL DODSON

By his attorneys,



James S. Dittmar, P.C. (BBO #126320)

Robert M. Hale, P.C. (BBO #217710)

Christopher B. Kaczmarek (BBO #647085)

GOODWIN PROCTER LLP

Exchange Place

Boston, MA 02109

Tel: (617) 570-1000

Dated: July 13, 2004

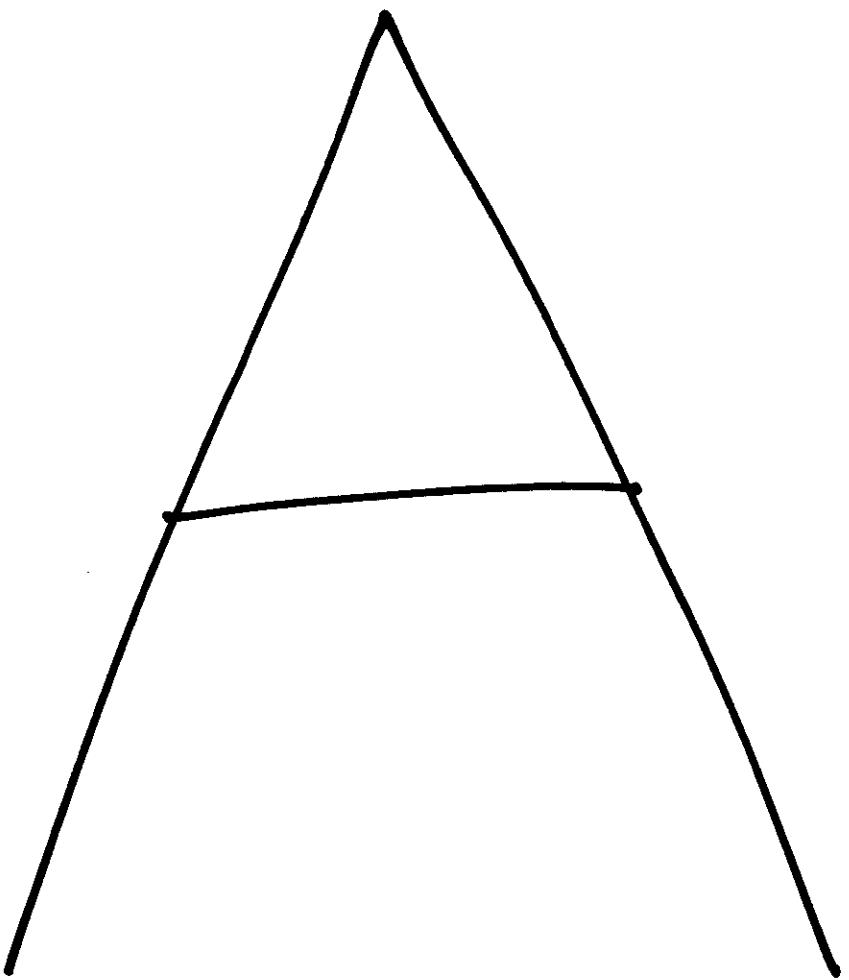
CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 13, 2004, a true and correct copy of the ***Motion To Permit Ann M. Heimberger To Appear Pro Hac Vice*** was served by hand upon the following:

Daniel E. Rosenfeld, Esq.
Amy B. Abbott, Esq.
Kirkpatrick & Lockhart, LLP
75 State Street
Boston, MA 02109



Christopher B. Kaczmarek



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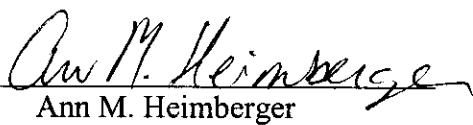
**CERTIFICATE OF ANN M. HEIMBERGER
IN SUPPORT OF MOTION FOR ADMISSION *PRO HAC VICE***

I, Ann M. Heimberger hereby certify that:

1. I am an attorney duly admitted to the practice of law in California since December 7, 1998. I am an associate with the firm of Quinn Emanuel Urquhart Oliver & Hedges, LLP, 50 California Street, 22nd Floor, San Francisco, California 94111, counsel for defendant Russell Dodson, along with Goodwin Procter LLP.
2. I am a member in good standing in every jurisdiction where I have been admitted to practice.
3. There are no disciplinary proceedings pending against me as a member of the bar of any jurisdiction.
4. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts and agree to abide by the same.

5. I respectfully request that I be admitted before this Court for the purposes of the above-captioned proceedings.

Signed under the pains and penalties of perjury this 2nd day of July, 2004.


Ann M. Heimberger